

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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EUGENE LOWE,

Docket No.: 09 Civ 7766 (SCR)(GAY)

Plaintiff,

- against -

CUSA, LLC, d/b/a/ THE DOUBLETREE
HOTEL & SUITES, TARRYTOWN, et al.

**NOTICE OF MOTION TO
QUASH SUBPOENAS**

Defendants.

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C O U N S E L:

PLEASE TAKE NOTICE that upon the annexed Affirmation of Paula Johnson Kelly, Esq., dated November 5, 2010, the annexed Affidavits of plaintiff, Eugene Lowe, and non-party Joan George, and the exhibits annexed thereto, the attorneys for the Plaintiff will move this Court before the Honorable George A. Yanthis, Magistrate Judge of the United States District Court, Southern District of New York, located at the United States District Court, 300 Quarropas Street, White Plains, New York, on a date to be determined by the Court, for an Order pursuant to F.R.C.P. Rule 45(a)(3), quashing the subpoenas issued by Defendants to non-parties for (1) Plaintiff's employment records and his financial records, and (2) for the financial records of non-party Joan George, or, in the alternative, for a protective order against said subpoenas, pursuant to F.R.C.P. Rule 26(c), on the grounds that said subpoenas are overly broad, seek irrelevant records, are unduly harassing to movants, and infringe upon the privacy rights of a non-party to this litigation; and for such other and further relief as to this Court seems just and proper.

Dated: New Rochelle, New York
November 5, 2010

Respectfully submitted,

The Law Office of
GOODSTEIN & ASSOCIATES

By: 

Paula Johnson Kelly, Esq. (PJK 8889)

Attorneys For Plaintiff

And Ms. George -on the motion

270 North Avenue, Suite 410

New Rochelle, New York 10801

(914) 632-8382

TO: FERGUSON, SCHETELICH & BALLEW, P.A.

Attorneys For Defendants

1401 Bank of America Center

100 South Charles Street

Baltimore, Maryland 21201-2725

(410) 837-2200

Attention: Craig F. Ballew, Esq.

TO: Law Office of

ANTHONY J. MAVRONICOLAS

Local Counsel for Defendants

950 Third Avenue, 10th Floor

New York, New York 10022

(646) 254-6874

Attention: Gregori Mavronicolas, Esq.